

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

INNOVATIVE GLOBAL SYSTEMS LLC,

Plaintiff,

v.

VOLVO CONSTRUCTION EQUIPMENT
NORTH AMERICA, INC., VOLVO
TRUCKS NORTH AMERICA, INC.,
KOMATSU AMERICA CORP.,
CATERPILLAR INC., HYUNDAI
CONSTRUCTION EQUIPMENT
AMERICAS, INC., TOPCON TIERRA,
STARTRAK SYSTEMS, LLC, WIRELESS
MATRIX USA, LLC, JLG INDUSTRIES
INC., TYLER TECHNOLOGIES, INC.,
GEOTAB, INC., and NAVISTAR, INC.,

Defendants.

Case No. 6:10-CV-00327-LED

JURY TRIAL DEMANDED

**DEFENDANT TOPCON TIERRA'S AND PLAINTIFF INNOVATIVE GLOBAL
SYSTEMS LLC'S AGREED MOTION TO EXTEND DEADLINE TO COMPLY WITH
P.R. 3-3 AND DISCOVERY ORDER 2**

Defendant Topcon Tierra (“Tierra”) and Plaintiff Innovative Global Systems, LLC (“IGS”) file this agreed motion to extend Tierra’s deadline to comply with P.R. 3-3 and Discovery Order 2(B) [Docket Number 164] and any obligation of IGS to comply with Discovery Order 2(B) and (C) with respect to Tierra as follows:

Topcon Tierra requests that its deadline to comply with R.R. 3-3 and Discovery Order 2(B) be extended through and including February 28, 2011. IGS requests that any deadline for it to comply with Discovery Order 2(B) and (C) as to Tierra be extended through and including the same date. The purpose of this extension is to determine whether the ongoing negotiations regarding a resolution of Plaintiffs’ claims can be brought to fruition. Tierra and IGS agree to the requested relief.

Date: February 11, 2011

Respectfully submitted,

POTTER MINTON
A Professional Corporation
By: /s/ Michael E. Jones

Michael E. Jones
Texas State Bar No. 10929400
110 N. College Ave.
Suite 500 Plaza Tower
Tyler, Texas 75702
Telephone: 903.597.8311
Fax: 903.593.0846
Email: mikejones@potterminton.com

Robert A. Van Nest
Eugene M. Paige
KEKER & VAN NEST, LLP
710 Sansome St.
San Francisco, CA 94111
Telephone: 415.391.5400
Fax: 415.397.7188

Attorneys for Defendant and Counterclaimant
TOPCON TIERRA

Date: February 11, 2011

Respectfully submitted,

/s/ Michael T. Cooke
(with permission by Michael E. Jones)
Michael T. Cooke
State Bar No. 04759650
Jonathan T. Suder
State Bar No. 19463350
Todd I. Blumenfeld
State Bar No. 24067518
FRIEDMAN, SUDER & COOKE
Tindall Square Warehouse No. 1
604 East 4th Street, Suite 200
Fort Worth, Texas 76102
Telephone: (817) 334-0400
Facsimile: (817) 334-0401
mtc@fsclaw.com
jts@fsclaw.com
blumenfeld@fsclaw.com

Keith A. Rutherford
R. Scott Reese
Sarah R. Cabello
WONG, CABELLO, LUTSCH,
RUTHERFORD & BRUCCULERI, LLP
20333 SH 249, Suite 600
Houston, TX 77070
Telephone: (832) 446-2400
Facsimile: (832) 446-2424
krutherford@counselip.com
sreese@counselip.com
scabello@counselip.com

Eric M. Albritton
Stephen E. Edwards
ERIC M. ALBRITTON, P.C.
P.O. Box 2649
111 West Tyler Street
Longview, TX 75601
Telephone: (903) 757-8449 x204
Facsimile: (903) 758-7397
ema@emafirm.com
see@emafirm.com

Thomas John Ward, Jr.
Jack Wesley Hill
WARD & SMITH LAW FIRM
P.O. Box 1231
Longview, TX 75606-1231
Ph. (903) 757-6400
Fax (903) 757-2323
jw@jwfir.com
wh@emafirm.com

**ATTORNEYS FOR PLAINTIFF
INNOVATIVE GLOBAL SYSTEMS,
LLC**

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on February 11, 2011. Any other counsel of record will be served by First Class U.S. mail on this same date.

/s/ Michael E. Jones